

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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KHAY LE,

Plaintiff

RECEIVED 12/13/04

v.

CIVIL ACTION  
NO. 04-10463-EFH

FAIRHAVEN FISHING CORP.,  
Defendant

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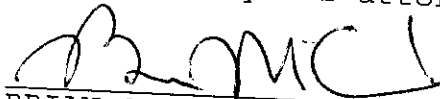
JOINT MOTION TO EXTEND DISCOVERY  
AND CORRESPONDING DEADLINES

Now come the parties in the above-entitled matter and respectfully move this Honorable Court for an order extending, by one hundred twenty (120) days the deadline set forth by the parties in their joint scheduling statement, and thereafter adopted by the Court in an Order dated May 12, 2004. As grounds therefore, the parties state as follows:

1. This is a maritime case involving a commercial fisherman who was injured on board a vessel at sea. The parties have encountered significant difficulties in deposing several of the witnesses, due to their respective fishing schedules. Because of the schedules of the fishermen/witnesses, it is often necessary to take the depositions on a moment's notice, which has presented, at various times, scheduling problems for both attorneys.
2. The parties have made extensive progress with respect to discovery, and anticipate that, with the extension requested herein, all discovery should be safely concluded within the additional time frame.
3. Moreover, the parties anticipate that, at the conclusion of discovery, there will be negotiations undertaken in an effort to attempt to bring the matter to resolution. The parties will require some time in order to explore settlement options as well as to consider the possibility of non-binding mediation and other courses of alternative dispute resolution.

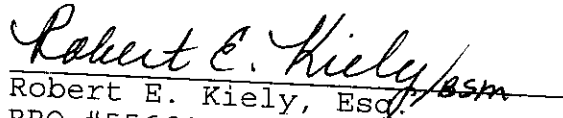
WHEREFORE, the parties respectfully request that the discovery, and associated deadlines, adopted by the Court in its Order of May 12, 2004, be extended by one hundred and twenty (120) days and, similarly, that the final pre-trial conference, presently scheduled for March 16, 2005, also be extended by one hundred and twenty (120) days, or to a date convenient to the Court thereafter.

Respectfully submitted,  
Plaintiff, by his attorney,



BRIAN S. MCCORMICK, ESQ.  
BBO# 550533  
Orlando & Associates  
One Western Avenue  
Gloucester, MA 01930  
(978) 283-8100

Defendant, by its attorney,



Robert E. Kiely, Esq.  
BBO #556640  
Regan & Kiely LLP  
85 Devonshire Street  
Boston, MA 02109  
(617) 723-0901

#### CERTIFICATE OF SERVICE

I, Brian S. McCormick, attorney for the plaintiff herein, hereby certify that I served a copy of the foregoing Joint Motion to Extend Discovery and Corresponding Deadlines, by mail, postage prepaid, to Robert E. Kiely, Esq., Regan & Kiely LLP, 85 Devonshire Street, Boston, Massachusetts 02109, on this 7th day of December, 2004.

  
BRIAN S. MCCORMICK, ESQ.